IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 20451 of 2007(I)

PETITIONER:

RAJAN PANICKER, AGED 48 YEARS,
S/O.PARAMESWARAN BHUVANESWARY MADOM,
PUNNATHALACHERRY, KOLLAM WEST VILLAGE,
KOLLAM TALUK.

BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
SRI.P.GOPAL

RESPONDENTS:
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1. THE KOLLAM CORPORATION, KOLLAM
REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY,
CORPORATION OF KOLLAM,
KOLLAM.

3. THE TOWN PLANNING OFFICER,
OFFICE OF THE CORPORATION OF KOLLAM,
KOLLAM.

4. THE BUILDING INSPECTOR,
WARD NO.XXXIV, OFFICE OF THE CORPORATION
OF KOLLAM, KOLLAM.

BY ADV.SRI.CHANDRAMOHANDAS, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 20451 OF 2007 I

Dated this the 4th July, 2007

JUDGMENT

Petitioner challenges Ext.P7, which is an order passed under Section 406(3) of the Kerala Municipality Act. The order is appealable under Section 509 of the Kerala Municipality Act. Petitioner has an effective alternate remedy, I feel. No doubt, learned counsel for the petitioner points out that there is non-compliance with Ext.P6 Judgment as such. I would feel that the Appeal being to a Tribunal manned by a District Judge, the said Appeal would be an effective alternate remedy where all the contentions of the petitioner can be gone into in accordance with law. Accordingly, the petitioner is relegated to pursue the remedy of appeal under Section 509 of the Act against Ext.P7. In order to enable the petitioner to pursue the remedy and in view of the fact that the petitioner is given seven days' time, Ext.P7 shall be kept in abeyance for a period of one month from

today. Thereafter, it is for the petitioner to seek relief before the Tribunal.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.